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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,458	03/26/2001	Koji Fukunaga	862.C2154	6428

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EXAMINER	
SCHNEIDER, JOSHUA D	

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/816,458	FUKUNAGA, KOJI	
	Examiner	Art Unit	
	Joshua D. Schneider	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-9 and 13-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5-9 and 13-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/12/2005 have been fully considered but they are not persuasive. Applicant argues that nowhere does Ludtke describe a mechanism used by the DCM that includes an event reception means that receives an event instruction and generates an event corresponding to the received instruction with the event reception means using predetermined addresses as registers, which are allocated in a serial bus register space in an address space of an information signal processing apparatus connected to a communication control bus complying with IEEE 1394. Ludtke teaches that devices can be added and removed from an IEEE 1394-1995 bus while the bus is active. If a device is so added or removed the bus will then automatically reconfigure itself for transmitting data between the then existing nodes. A node is considered a logical entity with a unique address on the bus structure. Each node provides an identification ROM, a standardized set of control registers and its own address space (column 1, lines 53-59). Every event through such a node uses the registers in the nodes register space to handle the event. Therefore, the arguments are not persuasive and the rewritten rejection with respect to the amended independent claims follows below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5, 9, 13, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,233,611 to Ludtke et al. With regards to claims 1, 9, and 17, Ludtke teaches event reception means for receiving a predetermined event instruction irrespective of a type of high-level protocol, wherein when said event reception means receives an event instruction, an event corresponding to received instruction is generated (column 8, line 54, through column 9, line 25), said event reception means uses predetermined addresses as registers which are allocated in a serial bus register space in an address space of said information signal processing apparatus connected to a communication control bus complying with IEEE 1394 (column 1, lines 53-59, column 3, lines 9-19, and column 9, line 59, through column 10, line 5).

4. With regards to claims 5 and 13, Ludtke teaches comprising informing means for informing a user of the event (bus topology change, column 13, lines 24-42).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims, 6-8 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,233,611 to Ludtke et al.

7. With regards to claims 6 and 14, Ludtke fails to explicitly teach event instruction includes one of an event instruction for controlling not to beep, an event instruction for

controlling to continuously beep, and an event instruction for controlling to intermittently beep. However, instructions for beeping are well known in the art to grab the attention of a user, whether in the POST to indicate proper startup, or in a printer to indicate a user needed action such as adding paper. The sending of a printing event to a printer without paper could be considered an event instruction to control beeping. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the well known use of beeping with the event reception and generation of Ludtke to create a system that notifies users of device features needing attention.

8. With regards to claims 7 and 15, Ludtke fails to explicitly teach the event instruction includes one of an event instruction for controlling not to emit light, an event instruction for controlling to continuously emit light, and an event instruction for controlling to flicker. However, instructions for lights blinking are well known in the art to grab the attention of a user, whether in the hard drive to indicate the drive is busy, or in a printer to indicate a user needed action such as adding paper. The sending of a printing event to a printer without paper could be considered an event instruction to control light blinking. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the well known use of lights blinking with the event reception and generation of Ludtke to create a system that notifies users of device features needing attention.

9. With regards to claims 8 and 16, Ludtke fails to explicitly teach event instruction includes one of an event instruction for controlling not to execute power supply control, an event instruction for controlling to turn on a power supply, and an event instruction for controlling to turn off the power supply. However, instructions for enumeration are well known in the art to

lower the power lines provided with certain bus types. The sending of a sleep event or an enumeration event instruction to control the power supply. Network power control is also well known. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the well-known use of sleep with the event reception and generation of Ludtke to create a system that minimizes the use of system.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Schneider whose telephone number is (571) 272-4158. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDS

KIM HUYNH
PRIMARY EXAMINER
11/28/05